

Code of Practice

Wildlife management

Code of practice for the taking and use of protected plants

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1. About this code

The *Nature Conservation Act 1992* (“the Act”) provides that a person must not take, use or keep a protected plant other than under a conservation plan applicable to the plant, a licence, permit or authority issued or given under a regulation or an exemption under a regulation.

The *Nature Conservation (Protected Plants) Conservation Plan 2000* (“the conservation plan”) specifies statutory provisions for the taking of protected plants. Supporting provisions are found in Part 3 of Chapter 3 of the *Nature Conservation Regulation 1994* (“the Regulation”).

This code provides standards for the conduct of people involved in the taking, keeping and use of protected plants in Queensland. An earlier version of this code was based on the Code of Practice for Greening of Australia (S.A.).

2. Definitions

In this code of practice:

“**conservation plan**” means the Nature Conservation (Protected Plants) Conservation Plan 2000

“**harvester**” is a person who takes protected plants whether or not a licence is required

“**landholder**” includes a lessee, manager, custodian or person in charge

“**licence**” means a licence, permit or authority under the Regulation

“**protected plant**” means a species of plant specified as endangered, vulnerable, rare or common wildlife under the Nature Conservation (Wildlife) Regulation 1994

“**State land**” means any State land (other than leasehold) where harvesting is permitted

Other terms are defined in the Act, the conservation plan and the Regulation.

3. Purpose of code

The purpose of this code is to:

- a) set minimum standards for taking and using protected plants which contribute to meeting the legislative requirement that plant harvesting is ecologically sustainable;
- b) encourage the best use of wild-taken material by minimising waste;
- c) set standards for taking specified whole plants and plant parts from the wild; and
- d) set standards applying to harvesting on State land.

4. Basic requirements

The basic requirements for taking and using protected plants are the adoption of:

- appropriate collection techniques of plant parts and whole plants taken from the wild; and
- appropriate techniques in transporting and handling whole plants or plant parts to ensure maximum survival.

5. Taking plants from the wild — general standards

- 5.1 A person who intends to take protected plants must obtain the permission of the landholder of the land where collecting is to be undertaken.

- 5.2 Where the harvest is to occur on state forest, timber reserve, unallocated state land or leasehold land, the harvester must obtain a sales permit from the Department of Primary Industries (Forestry) or other relevant authority.
- 5.3 The harvester must contact the landholder before starting any activity and must comply with any reasonable request or direction in relation to the use of weapons and vehicles.
- 5.4 The officer in charge of State land must be informed and shown a copy of the permit or licence to take protected plants on State land.
- 5.5 Harvesters should take care to minimise damage to any understorey plants including flowers and groundcovers by trampling under foot or by vehicles.
- 5.6 Taking in largely intact forest systems should be aimed at abundant and secure populations of any particular species and not at relict specimens.
- 5.7 All nesting sites, tree hollows and other forms of shelter for protected animals must be left undisturbed.
- 5.8 Harvesters must take precautions to prevent themselves, their vehicles and equipment spreading weed seeds, unwanted plants and pathogens into and out of harvest areas.
- 5.9 Clean tools should be used (use of soap and water is acceptable) and they should be cleaned before moving to a new location.
- 5.10 Soil should be removed from boots and shoes and propagules from clothing before moving to a new location.
- 5.11 Vehicles should be routinely washed, within the region where the vehicle was last used, to remove soil and propagules, before moving to a new region. Tyres should be inspected to ensure plant propagules and soil (for example, burrs) are not caught in the tread or clinging to sidewalls.
- 5.12 Liaise with land managers to determine local requirements or restrictions which may be in force with regard to dieback or other plant or animal diseases.
- 5.13 Harvesters must take precautions to minimise damage to soils, roads and tracks, especially in wet conditions. Vehicle access to harvesting areas should only be on roads and tracks as directed and approved by the landholder. Any inadvertent damage to roads and access tracks must be repaired and restored to at least the preexisting condition as required to maintain function, safety and environmental management.
- 5.14 Livestock must not be interfered with and any disturbance to these animals must be kept to a minimum. Any sightings of injured, sick or dead stock must be reported immediately to the landholder.
- 5.15 All gates must be left as they are found, closed if hung closed, and left open if hung open.
- 5.16 Any damage caused to fences, gates or other property must be reported immediately to the landholder.
- 5.17 The harvester must be aware of requirements of the Workplace Health and Safety Act 1995 and comply with provisions of that legislation.
- 5.18 All fires must be reported immediately to the landholder and the local fire authority.

6. Taking of seed and other propagating material — standards

- 6.1 A harvester taking seed, spore or other propagating material from protected plants must comply with the general standards of part 5 of this code.

- 6.2 In order to maximise biological diversity in the harvested material, seed is (where possible) to be taken from five or more plants of the same species at least 100 metres apart, preferably from higher rather than lower branches.
- 6.3 Take only as much seed as is required and ensure all cuts are judicious. Cut capsules/fruits as close to the base of the capsules/fruits as possible.
- 6.4 In harvesting seed or other propagating material no plant is to be cut down or mutilated. If limbs are removed by hand saw, commando saw, rifle or other means, no more than 10 percent of the crown is to be removed. Limbs or branches removed are to be less than 10cm in diameter at the removal point for non-eucalypt species and less than 20cm in diameter for eucalypt and corymbia species.
- 6.5 No more than 20 percent of the capsules/fruits or other propagating material from any one plant is to be collected in any 12-month period.
- 6.6 Where possible, take only fully ripe seed. All cycad seed harvested must be ripe and shed from the plant or be on the point of being shed.
- 6.7 Because proof of origin of seed or spore might be required, at collection all containers should be labeled clearly with the species of plant, date and place of collection, harvester's name and address and any licence number.
- 6.8 All collected seed should be transported and kept in containers under conditions suitable for its maximum viability.
- 6.9 Where practical, harvested twigs and discarded seed capsules/fruit should be dispersed in the general collection area where some germination might be expected. However, disposal must be in a manner that does not interfere with the day-to-day operations of the landholder.
- 6.10 If a harvester takes seed using a firearm the person must have a weapons licence and have the landholder's permission to use the weapon. If seeds are taken under a licence the person must not use a firearm to take the plants unless the weapons licence number was included in the application for the licence. Weapons can be discharged only during daylight hours.

7. Taking of plant parts (other than seed) — standards

- 7.1 A harvester taking flowers, fronds or other parts of protected plants (other than seed/propagating material) must comply with the general standards of part 5 of this code.
- 7.2 Collections should be made only from healthy plants that have plants of the same species located within 20 metres.
- 7.3 Take only as much material as is required and ensure all cuts are judicious. Cut flowers and fronds as close to stem of the donor plant as possible. However, this procedure should be done in a way that does not damage the donor plant.
- 7.4 Remove no more than one-third of the flowers, fronds, foliage or other parts from any one plant in any 12-month period, provided the plant has adequately regenerated or recovered since the previous harvest.
- 7.5 Do not pull high branches down to harvest plant parts if doing so would cause the branch to fracture or break. Ladders should be used to take from high branches.
- 7.6 Plant parts must be taken using hand tools (such as knives and manually or electrically operated secateurs). Petrol or diesel driven machinery must not be used to harvest plant parts.

- 7.7 To minimise waste and unnecessary harvesting, all collected flowers, fronds or other parts should be transported and kept in containers under conditions suitable for their maximum quality.
- 7.8 Where practical, harvested and discarded plants should be dispersed in the general collection area. However, disposal must be in a manner that does not interfere with the day-to-day operations of the landholder.
- 7.9 Grasstree spikes contain the entire reproductive potential of a plant for at least one year and are an important food source for numerous animals. Where the harvest comes from populations in natural forests, spikes must be cut only after seeds have been shed.
- 7.10 Do not harvest the central growing core of grasstree leaves. Harvest evenly from the circumference of the plant.
- 7.11 Do not harvest from a plant of the genus *Bowenia* with less than three fronds. Harvesters should attempt to remove material more or less evenly from each crown in a plant while ensuring that no more than one-third of all the plant's foliage is removed (see 7.4). At least two fronds must remain on any Byfield fern *Bowenia serrulata* or north Queensland bowenia *Bowenia spectabilis* after harvesting.
- This means that a plant must have at least three fronds before harvesting is permitted. No frond is to be harvested from a plant bearing female cones.
- 7.12 No plant is to be felled or otherwise destroyed to extract gums and resins. No more than one-third of the plants of each target species in the area can be tapped.
- 7.13 Bark can be harvested from dead trees and from live trees with a minimum diameter of 15cm at breast height. The cambial layer is not to be exposed during harvesting. No more than one-third of the target species growing in an area is to be harvested. Harvesting must not be repeated in the same area until all plants have replaced the removed bark.
- 7.14 No more than 20 percent of live canes and vines is to be removed from a harvest area in any five-year period.
- 7.15 Particular care needs to be taken when harvesting from or traversing ferns. Ferns and fern allies reproduce by spores and rhizomes. Ferns are normally found growing in colonies and apparently separate clumps may be part of the same "plant". The one-third rule (see 7.4) applies to all stems in the overall clump even though sub-clumps may appear to be discontinuous.

8. Taking of whole plants — standards

- 8.1 A harvester taking whole protected plants must comply with the general standards of part 5 of this code.
- 8.2 A plant must be removed in a manner that causes minimum damage to the plant being taken and if applicable (for staghorns etc.) to any other plant from which it is removed.
- 8.3 Taking is to cause minimum disturbance to the area (for example, minimum disturbance to the soil when removing plants such as grasstrees etc.).
- 8.4 All collected plants should be transported and kept in containers under conditions suitable for their maximum viability.
- 8.5 Harvested and discarded parts of plants should be dispersed in the general collection area. However, disposal must be in a manner that does not interfere with the day-to-day operations of the landholder.

9. Special provisions for State land

- 9.1 A harvester taking plants in a forest reserve, national park (recovery), state forest or other area of State land (other than leasehold land) where harvesting is permitted must comply with other relevant provisions of the code in addition to those in this part.
- 9.2 Harvesting operations must cease if wind strength or ground conditions threaten safety, protected area infrastructure, environmental protection or forest values.
- 9.3 Access to harvested material must not be attempted along unsealed roads when conditions are unsafe, when a water quality or nuisance dust hazard might be created or when road damage has or will occur because:
- vehicles cannot move unassisted; or
 - water runs in fresh wheel ruts greater than 20cm for a distance of more than 50 metres and use will result in increased rutting and adverse impact to road drainage; or
 - water is ponded on the surface and use will cause road damage; or
 - because this use will render the road unusable to the harvester or other users.
- 9.4 When conditions described above occur, harvesting operations can be undertaken in another area provided:
- pre-harvesting conditions have been met and site conditions will not result in similar damage; and
 - affected sections of track or road are not by-passed without approval; and
 - vacated areas are stabilised as soon as possible without exacerbating instability or damage.
- 9.5 All equipment and vehicles should be washed down and be clean and free of plant seeds and other vegetative material and deposits of mud or other debris before entering State land.

Approved By

Signature

Date

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